

1 MICHAEL N. FEUER, City Attorney, SBN 111529  
2 MARY CLARE MOLIDOR, Chief, Criminal & Special Lit. Branch, SBN 82404  
3 TINA HESS, Deputy Chief, Safe Neighborhoods & Gang Division, SBN 143900  
4 JONATHAN CRISTALL, Superv. Assistant City Attorney, SBN 191935  
5 STEVEN GOLD, Deputy City Attorney, SBN 156075  
6 200 North Main Street, Room 966  
7 Los Angeles, California 90012  
8 Telephone: (213) 978-4090  
9 Fax: (213) 978-8717  
10 E-Mail: steven.gold@lacity.org

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Superior Court of California  
County of Los Angeles

JUN 28 2017

Sherri R. Carter, Executive Officer/Clerk  
By: Charlie L. Coleman, Deputy

11 Attorneys for Plaintiff

12 NO FEE – GOV’T CODE § 6103

13  
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
15 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

16 THE PEOPLE OF THE STATE OF CALIFORNIA,

17 Plaintiff,

18 vs.

19 ROHIT VILLAS LIMITED PARTNERSHIP, a  
20 California limited partnership; INTEGRATED  
21 COMMUNITY BUILDRES. INC. aka INTEGRATED  
22 COMMUNITY BUILDERS, INC., a California  
23 corporation; and BHARATI MANGU ROHIT, an  
24 individual; and DOES 1 through 50, inclusive,

25 Defendants.

26 Case No.:

27 BC 6 6 6 6 6 9

28 COMPLAINT FOR ABATEMENT AND  
INJUNCTION

[HEALTH & SAF. CODE  
SECTION 11570, *ET SEQ.*; CIVIL  
CODE SECTION 3479, *ET SEQ.*; BUS.  
& PROF. CODE SECTION 17200, *ET  
SEQ.*]

(Unlimited Action)

29 PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

30 I. INTRODUCTION

31 1. This action (“Action”) is brought and prosecuted by Plaintiff, the People of the  
32 State of California (“Plaintiff or “People”), for the purpose of abating a volatile and dangerous  
33 gang-related public nuisance that exists at a 16-unit apartment building located at 122 East  
34 120th Street in the Broadway-Manchester neighborhood in South Los Angeles (“Property”).  
35 The captioned defendants (“Defendants”) own and/or operate the Property.

36 2. The Property is a crime hub for an active, violent criminal street gang called the

1 118 East Coast Blocc Crips ("118 ECC"), which is one part (or "set") of a much larger network  
2 of East Coast Crip street gangs that ranges throughout large swaths of the city and county of  
3 Los Angeles, and beyond.

4 3. Going back to at least 2001 – nearly as far back as electronically accessible law  
5 enforcement records go -- an unremitting stream of criminal incidents involving guns, violence  
6 and illegal drugs have occurred at the Property. In 2003, a person was shot dead on the  
7 adjoining sidewalk immediately after leaving the Property. In 2006 and then again in 2016, the  
8 Property was riddled with bullets in drive-by shootings – suspectedly by one of 118 ECC's  
9 multiple rival gangs. In the 2016 incident, a child inside an apartment unit at the Property  
10 reportedly jumped through his bedroom window to escape the incoming gunfire. Several other  
11 victims in additional shootings connected to the Property in 2006, 2008 and 2013 luckily  
12 escaped death. Witnesses have reported seeing a gang member on a stairway at the Property  
13 holding an AK-47-type assault rifle. Others have reported that gang members confronted them  
14 on the Property and pointed guns at their heads as a warning not to "snitch" on the gang or  
15 otherwise interfere with the gang's activities at and around the Property. Finally, suspects from  
16 shootings elsewhere in the surrounding neighborhood have been observed fleeing into the  
17 Property after unleashing mayhem elsewhere.

18 4. Street drug sales operations go hand-in-hand with gang presence in many  
19 instances. The Property is no exception. In the weeks preceding the filing of this Complaint,  
20 non-confidential informants working with a specialized Los Angeles Police Department  
21 ("LAPD") narcotics unit have been able to buy rock cocaine at will from sellers operating out of  
22 the Property.

23 5. Given its history, and its reputation in the community as a gang and narcotics  
24 hotspot, LAPD uniformed officers respond to the Property on an almost-daily basis, whether in  
25 response to radio calls or more proactively. On 118 ECC's recent commemorative "hood day"  
26 – when a street gang celebrates itself on a calendar date corresponding numerically to the  
27 gang's name or important streets in its turf -- officers encountered a group of 15-20 gang  
28 members congregating in the Property's parking area and arrested several for probation

1 violations and bench warrants. Two or three times per week, officers report that someone  
2 attempts to evade them by running into the Property. On two occasions over the years,  
3 including one very recent instance, LAPD patrol vehicles parked in front of the Property have  
4 been vandalized, including with graffiti threatening to kill police officers, while officers were  
5 inside the Property handling a call. Some residents of the Property are hostile to officers in a  
6 manner indicative of allegiance to the 118 ECC gang – even when the officers are responding  
7 to an incident like a shooting, which subjects those same residents to lethal personal danger.

8 6. Notwithstanding LAPD's efforts, the situation at the Property cannot be cured by  
9 LAPD. Management of the Property – which can be done very effectively by professionals  
10 using appropriate best management techniques, as has been the outcome in similar cases  
11 brought by Plaintiff -- is anemic, at best. The Property's entrances are all frequently (if not  
12 always) unlocked and open to ingress and egress by anyone who wants to come on to the  
13 Property, whether they are paying tenants, authorized non-trespasser visitors, *or not*. The  
14 Property is almost always emblazoned with dozens of gang graffiti tags, advertising the gang's  
15 territorial claim on the Property and its surroundings, and proclaiming the gang's literal  
16 intention of killing members of rival gangs.

17 7. Multiple storage and utility spaces throughout the Property are unsecured. A  
18 recent inspection revealed that one such storage-type space was outfitted with a mattress and  
19 bucket for use as a toilet, apparently, by a homeless person. A room originally intended for  
20 use as a management office has been breached, and, during the same recent inspection, law  
21 enforcement authorities observed a pile of marijuana on a desk amongst the random refuse  
22 scattered throughout the now-unused but unsecured room. The same inspection also  
23 revealed a baggie of marijuana amongst other trash in one of the clothes dryers in the  
24 Property's laundry room.

25 8. Apartment buildings such as the Property, that have been left vulnerable through  
26 lax management, foster and amplify a street gang's impact in the surrounding neighborhood by  
27 serving as pieces of the gang's turf that are especially hospitable and conducive to the gang's  
28 social imperatives and commercial operations. Put simply, criminal street gangs in Los

1 Angeles are inherently and fundamentally territorial. They *need* certain places within their turf  
2 to be open to them so that they can do what makes them a street gang: a) occupy turf; b)  
3 socially cohere with each other; c) project power (sometimes through the barrel of a gun)  
4 within that turf as against both rival gangs and law-abiding people who might present a risk of  
5 cooperating with law enforcement against the gang; and d) sell drugs or other contraband to  
6 make money for those up and down the gang's hierarchy. Not every building within a gang's  
7 turf is available for exploitation by the gang in this fashion as some are managed better, more  
8 physically fortified, lack gang "friendlies" that attract gang members in the first place, and so  
9 on. The properties that do fall under the grip of a gang, however – such as the Property  
10 complained of herein – often ripen into serious gang-related crime centers.

11 9. Defendants have failed utterly to implement appropriate physical and managerial  
12 best practices to combat the foregoing nuisance dynamic. The intent of this nuisance  
13 abatement prosecution is to compel such action by Defendants as is necessary to bring the  
14 entirely unacceptable state of affairs at the Property to a swift and permanent halt, including  
15 via an order that the named individual defendant and executive representatives of the entity  
16 defendants reside at the Property themselves.

## 17 **II. THE PARTIES AND THE PROPERTY**

### 18 **A. Plaintiff**

19 10. Plaintiff, the People, is the sovereign power of the State of California designated  
20 in Health and Safety Code section 11571, Code of Civil Procedure section 731 and Business  
21 and Professions Code section 17204 to be the complaining party in law enforcement actions  
22 brought to abate, enjoin and penalize public nuisances and acts of unfair competition.

### 23 **B. The Defendants**

24 11. Defendant Rohit Villas Limited Partnership ("RVLP") is a California limited  
25 partnership. Defendant RVLP is the entity that holds title to the Property, and has done so  
26 since at least 1992.

27 12. Defendant Integrated Community Builders, Inc., also known as Integrated  
28 Community Builders, Inc. ("ICB") is a California non-profit corporation. Defendant ICB is the

1 general partner of Defendant RVLP, and has been since at least 1993.

2       13. Defendant Bharati Mangu Rohit ("Rohit"), an individual, has been associated with  
3 the ownership of the Property in various ways since at least 1991. She was one of two  
4 trustees of a trust that owned the Property when its ownership was transferred to Defendant  
5 RVLP in 1991. She is currently the chief financial officer of Defendant ICB. Moreover, she has  
6 been historically, and still is, the primary individual who holds herself out to tenants, LAPD and  
7 others as the de facto owner of the Property. Defendant Rohit is and has been aware of the  
8 nuisance activity at the Property since at least 2001, and, continuing up to the present time,  
9 has personally authorized, directed and/or participated in, either by commission or omission,  
10 the operation and management of the Property in such a manner that the Property is presently  
11 a nuisance in violation of the laws further described below.

12       14. The true names and capacities of defendants sued herein as Does 1 through 50,  
13 inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious  
14 names. When the true names and capacities of said defendants have been ascertained,  
15 Plaintiff will ask leave of the court to amend this complaint and to insert in lieu of such fictitious  
16 names the true names and capacities of said fictitiously named defendants.

17       C. **The Property**

18       15. The Property is a three-story, 16-unit courtyard apartment building with the  
19 common address of 122 East 120<sup>th</sup> Street, Los Angeles, CA 90061.<sup>1</sup> The ground floor consists  
20 of a covered parking lot, with two levels of apartment units above. The Property's physical  
21 appearance is unkempt and it emanates the distinct feeling that no one, with the possible  
22 exception of the gang members, is in charge there.

23       **III. THE PUBLIC NUISANCE LAW**

24       16. The Public Nuisance Law ("PNL"), Civil Code section 3479, defines a public  
25 nuisance as "[a]nything which is injurious to health, including, but not limited to, the illegal sale  
26 of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free

27

28       1 The Property's legal description is: "The west 80 feet of the east 157.16 feet of lot 10 of the Athens Acres, in the  
City of Los Angeles, State of California, as per map recorded in Book 11, Page 18, of Maps, in the office of the  
County Recorder of Los Angeles County," APN 6086001022.

1 use of property, so as to interfere with the comfortable enjoyment of life or property...." (See  
2 *City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 ["The Legislature has defined in general  
3 terms the word 'nuisance' in Civil Code section 3479. . . .".)

4 17. Civil Code section 3480 defines a public nuisance as "one which affects at the  
5 same time an entire community or neighborhood, or any considerable number of persons,  
6 although the extent of the annoyance or damage inflicted upon individuals may be unequal."

7 18. The case law is "replete with examples" of the "threat violent street gangs ...  
8 pose to the safety of peaceful Californians." (*Castaneda v. Olsher* (2007) 41 Cal.4<sup>th</sup> 1205,  
9 1216.) In a case involving gang-related gunfire similar to what is occurring at the Property  
10 here, the California Supreme Court explicitly recognized that "[s]treet gang activity can often  
11 subject" innocent bystanders "to unacceptable levels of risk." (*Id.*) In *Medina v. Hillshore  
12 Partners* (1995) 40 Cal.App.4<sup>th</sup> 477, 486, involving a wrongful death claim by the mother of a  
13 young man shot by gang members at an apartment complex, the Court said, "We agree that  
14 the congregation of gangs poses a foreseeable risk of harm to the public." In particular, the  
15 whole spectrum of typical street gang conduct, ranging from loitering, to public drinking and  
16 boisterousness, to drug dealing, to gunfire, has been held to "easily meet the statutory  
17 standard" for a public nuisance under Civil Code section 3479. (*People ex rel. Gallo v. Acuna*  
18 (1997) 14 Cal.4<sup>th</sup> 1090, 1120.)

19 19. Civil Code section 3491 provides for the methods by which public nuisances  
20 such as those alleged herein may be abated. Civil Code section 3491 states that the  
21 "remedies against a public nuisance are indictment or information, a civil action or abatement."  
22 Abatement is "accomplished by a court of equity by means of an injunction proper and suitable  
23 to the facts of each case." (*Sullivan v. Royer* (1887) 72 Cal. 248, 249.)

24 20. Code of Civil Procedure section 731 authorizes a city attorney to bring an action  
25 to enjoin or abate a public nuisance. It provides, in relevant part, "[a] civil action may be  
26 brought in the name of the people of the State of California to abate a public nuisance . . . by  
27 the city attorney of any town or city in which such nuisance exists."

28 21. "[S]trict liability for nuisance historically attends the possession and control of

1 land." (*Leslie Salt Co. v. San Francisco Bay Conservation and Development Commission*  
2 (1984) 153 Cal.App.3d 605, 618 n. 15 & 619). "It is immaterial whether the acts" of the  
3 persons sought to be held liable for a nuisance "be considered willful or negligent; the essential  
4 fact is that, whatever be the cause, the result is a nuisance." (*Snow v. Marian Realty*  
5 *Company* (1931) 212 Cal. 622, 625-26; see also *Sturges v. Charles L. Harney, Inc.* (1958) 165  
6 Cal.App.2d 306, 318 ["a nuisance and liability therefore may exist without negligence"]; *People*  
7 *v. McCadden* (1920) 48 Cal.App. 790, 792 ["A judgment supported on findings that such  
8 nuisance was conducted and maintained on the premises in question, regardless of the  
9 knowledge of the owner thereof, is sufficient. Such knowledge on the part of the owner . . . is  
10 unnecessary."].) This strict standard is because "the object of the act is not to punish; its  
11 purpose is to effect a reformation of the property itself." (*People v. Bayside Land Co.* (1920)  
12 48 Cal.App. 257, 261.)

#### 13 **IV. THE NARCOTICS ABATEMENT LAW**

14 22. Since its enactment in 1972, the principal purpose of the Narcotics Abatement  
15 Law ("NAL") (Health & Saf. Code, § 11570, et seq.) is the abatement of buildings and places  
16 "used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, or giving  
17 away any controlled substance, precursor, or analog specified in this division . . ." (Health &  
18 Saf. Code, § 11570).

19 23. The NAL provides that every building or place used for the purpose of unlawfully  
20 selling, serving, storing, keeping, manufacturing, or giving away any controlled substance,  
21 precursor, or analog *inter alia*, "is a nuisance which **shall** be enjoined, abated, and  
22 prevented . . . whether it is a public or private nuisance." (Health & Saf. Code, § 11570  
23 [emphasis added]; *People ex rel Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v.*  
24 *Superior Court* (1993) 20 Cal.App.4th 866, 870-871.)

25 24. Health and Safety Code section 11571 authorizes a city attorney to bring an  
26 action to abate, prevent and perpetually enjoin such nuisances. It provides in relevant part:  
27 "Whenever there is reason to believe that a nuisance as described in Section 11570 is kept,  
28 maintained, or exists in any county, the district attorney of the county, or the city attorney of

any incorporated city or of any city and county, in the name of the people, may . . . maintain an action to abate and prevent the nuisance and perpetually to enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the building or place in or upon which the nuisance exists from directly or indirectly maintaining or permitting the nuisance."

25. Health and Safety Code section 11573(a) provides that: "If the existence of the nuisance is shown in the action to the satisfaction of the court or judge, either by verified complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction to abate and prevent the continuance or recurrence of the nuisance." (Emphasis added.) In addition, Health and Safety Code section 11581 provides, as an additional remedy, for the removal and sale of all fixtures and movable property on the premises used in aiding or abetting the nuisance and for the closure of the building for up to one year.

## **V. UNFAIR COMPETITION LAW**

26. The practices forbidden by the state Unfair Competition Law at Business and Professions Code section 17200 *et seq.* ("UCL") are any business practices forbidden by law, be it criminal, federal, state, municipal, statutory, regulatory or court-made. As the California Supreme Court has explained, the UCL "borrows' violations of other laws and treats them as unlawful practices independently actionable under section 17200 *et seq.*" (*South Bay Chevrolet v. General Motors Acceptance Corp.* (1999) 72 Cal.App.4<sup>th</sup> 861, 880 (internal citations and quotation marks omitted).)

27. As proscribed by the UCL, “[a]n ‘unlawful business activity’ includes anything that can properly be called a business practice and that at the same time is forbidden by law.” (*People v. McKale* (1979) 25 Cal.3d 626, 632.) The ownership and operation of a rental apartment complex, such as the Property, by nonresident owners doing so for the purposes of profit, is, axiomatically, a business under the UCL. (See *People ex. rel. City of Santa Monica v. Gabriel* (2010) 186 Cal.App.4th 882, 888 [“The renting of residential housing is a business.”].) Thus, when a property owner conducts, maintains or permits a nuisance that is unlawful under the PNL and NAL to exist on the premises of such a property, it is a violation of the UCL.

1       28. Moreover, the UCL casts a broad net. "Any person performing or proposing to  
2 perform an act of unfair competition may be enjoined . . ." (Bus. & Prof. Code, § 17203;  
3 emphasis added.) The term person includes "natural persons, corporations, firms,  
4 partnerships, joint stock companies, associations and other organizations of persons." (Bus. &  
5 Prof. Code, § 17201.) The courts have expanded section 17200's net beyond direct liability to  
6 include common law doctrines of secondary liability where the liability of each defendant is  
7 predicated on his or her personal participation in the unlawful practices. (*People v. Toomey*  
8 (1985) 157 Cal.App.3d 1, 14; *Emery v. Visa Int'l Service Ass'n* (2002) 95 Cal.App.4<sup>th</sup> 952,  
9 960.)

10      29. Civil actions under the UCL may be brought in the name of the People of the  
11 State of California by any city attorney of a city having a population in excess of 750,000 (Bus.  
12 & Prof. Code, § 17204), such as the City of Los Angeles. A public entity can sue pursuant to  
13 section 17200 based on violations of its own municipal code, state law, or other local  
14 ordinance. (*People v. Thomas Shelton Powers, M.D., Inc.* (1992) 2 Cal.App.4<sup>th</sup> 330, 338-339.)

15      30. Defendants engaging in violations of the UCL may be enjoined in any court of  
16 competent jurisdiction. (Bus. & Prof. Code, § 17203.) A court may make such orders or  
17 judgments, including appointment of a receiver, as may be necessary to prevent the use or  
18 employment by any person of any practice constituting unfair competition. (*Id.*)

19      **VI. FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT**

20      **[Health and Safety Code Section 11570, *et seq.* --**

21      **Against All Defendants and DOES 1 through 50]**

22      31. Plaintiff hereby incorporates by reference paragraphs 1 through 30 of this  
23 Complaint and makes them part of the First Cause of Action, as if fully set forth herein.

24      32. The Property has been used, from an exact date unknown, but at least since  
25 2006, and is *currently* being used for the purposes of unlawfully selling, serving, storing,  
26 keeping, manufacturing or giving away controlled substances in violation of Health and Safety  
27 Code section 11570, *et seq.* Further, the Property's community reputation is as a narcotics  
28 sales location.

33. Defendants, and DOES 1 through 50 (hereinafter "Defendants," collectively), are responsible for conducting, maintaining, and/or directly or indirectly permitting the nuisance as alleged herein. Plaintiff has no plain, speedy and adequate remedy at law and unless Defendants are restrained and enjoined by order of this Court, they will continue to use, occupy and maintain, and/or to aid, abet or permit, directly or indirectly, the use, occupation and maintenance of the Property, together with the fixtures and appurtenances located therein, for the nuisance complained of herein, to the great and irreparable damage of the public and in violation of California law.

## **VII. SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE**

[Civil Code section 3479, et seq.]

## Against All Defendants and DOES 1 through 50]

34. Plaintiff incorporates by reference Paragraphs 1 through 33 of this Complaint and makes them part of this Second Cause of Action as though fully set forth herein.

35. From an exact date unknown but at least since 2001, through the present time, Defendants, have alternately owned, operated, managed and used, and/or directly or indirectly permitted to be occupied and used, the Property in such a manner as to constitute a public nuisance in accordance with Civil Code sections 3479 and 3480. The public nuisance, as described herein, is injurious to health, indecent or offensive to the senses, and/or an obstruction to the free use of property, so as to substantially and unreasonably interfere with the comfortable enjoyment of life or property by those persons living in the surrounding community. The public nuisance consists of, but is not limited to, narcotics activity at the Property; the regular, menacing, intimidating, disorderly and violent presence of resident and non-resident gang members and/or associates at and around the Property; and the occurrence of gunfire on or around the Property that has resulted in death and injury to persons on and around the Property.

36. Defendants, in owning, conducting, maintaining, and/or permitting the use of the Property, directly or indirectly, as a public nuisance, have engaged in wrongful conduct and caused a serious threat to the general health, safety and welfare of the law-abiding tenants at

1 the Property and persons in the area surrounding the Property.

2       37. Unless Defendants are restrained and enjoined by order of this Court, it will  
3 continue to use, occupy and maintain, and to aid, abet or permit, directly or indirectly, the use,  
4 occupation, and maintenance of the Property, together with the fixtures and appurtenances  
5 located therein, for the purpose complained of herein, to the great and irreparable damage of  
6 Plaintiff and in violation of California law.

7                   **VIII. THIRD CAUSE OF ACTION FOR UNFAIR COMPETITION**

8                   **[Business and Professions Code Section 17200, et seq. --**

9                   **Against All Defendants and DOES 1 through 50]**

10       38. Plaintiff hereby incorporates by reference paragraphs 1 through 37 of this  
11 Complaint and makes them part of this Third Cause of Action, as if fully set forth herein.

12       39. Ownership and operation of the Property is a business. When the owner and/or  
13 manager of such a business violates the NAL and/or PNL such that an unlawful nuisance  
14 exists and flourishes at the business' premises, as alleged herein, it is also a violation of the  
15 UCL.

16       40. Defendants have violated the UCL by conducting, maintaining and/or permitting,  
17 directly or indirectly, a nuisance in violation of the NAL and/or the PNL, at the Property, as  
18 alleged herein.

19       41. Plaintiff has no adequate remedy at law, and unless Defendants are restrained  
20 by this Court they will continue to commit unlawful business practices or acts, thereby causing  
21 irreparable injury and harm to the public's welfare.

22                   **PRAYER**

23                   **WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND**  
24 **DECREE AS FOLLOWS:**

25                   **AS TO THE FIRST CAUSE OF ACTION:**

26       1. That Defendants, and the Property, be declared in violation of Health and Safety  
27 Code section 11570, et seq.

28       ///

1       2. That the Property, together with the fixtures and moveable property therein and  
2 thereon, be found to constitute a public nuisance and be permanently abated as such in  
3 accordance with Section 11581 of the California Health and Safety Code.

4       3. That the Court grant a preliminary injunction, permanent injunction and order of  
5 abatement in accordance with Section 11570, et. seq. of the California Health and Safety  
6 Code, enjoining and restraining Defendants and their agents, officers, employees and anyone  
7 acting on their behalf, from unlawfully selling, serving, storing, keeping, manufacturing, or  
8 giving away controlled substances on the Property, and/or directly or indirectly maintaining or  
9 permitting such nuisance activity.

10      4. That the court order physical and managerial improvements to the Property in  
11 accordance with Health and Safety Code section 11573.5, and such orders as are otherwise  
12 appropriate, to remedy the nuisance on the Property and enhance the abatement process,  
13 including but not limited to, the following: an internet-connected video monitoring system  
14 accessible by LAPD; improved lighting; sufficiently secure gating and fencing; improved tenant  
15 screening and lease enforcement procedures; armed, licensed security guards; and prohibiting  
16 known gang members from accessing the Property.

17      5. That Defendant Rohit and executive representatives of Defendants RVLP and  
18 ICB be ordered to reside at the Property until the nuisance is abated, pursuant to Health and  
19 Safety Code section 11573.5(f)(1)(h).

20      6. That as part of the Judgment, an Order of Abatement be issued, and that the  
21 Property be closed for a period of one year, not to be used for any purpose, and be under the  
22 control and custody of this Court for said period of time; or, in the alternative, if the Court  
23 deems such closure to be unduly harmful to the community, that Defendants pay an amount of  
24 damages equal to the fair market rental value of the Property for one year to the City or County  
25 in whose jurisdiction the nuisance is located in accordance with Health and Safety Code  
26 section 11581 subdivision (c)(1).

27      7. That Defendants each be assessed a civil penalty in an amount not to exceed  
28 twenty-five thousand dollars (\$25,000.00).

1       8.    That all fixtures and moveable property used in conducting, maintaining, aiding or  
2 abetting the nuisance at the Property be removed by the LAPD and sold in the manner  
3 provided for the sale of chattels under execution. Said fixtures and property shall be  
4 inventoried and a list prepared and filed with this court.

5       9.    That there shall be excepted from said sale, such property to which title is  
6 established in some third party not a defendant, nor agent, officer, employee or servant of any  
7 defendant in this proceeding.

8       10.   That the proceeds from said sale be deposited with this court for payment of the  
9 fees and costs of sale. Such costs may occur in removal of said property and in closing said  
10 Property and keeping it closed.

11       11.   That if the proceeds of the sale do not fully discharge all such costs, fees and  
12 allowances, the Property shall also be sold under execution issued upon the order of the court  
13 or judge and the proceeds of such sale shall be applied in a like manner. That any excess  
14 monies remaining after payment of approved costs shall be delivered to the owner of said  
15 Property. Ownership shall be established to the satisfaction of this court.

16       12.   That Defendants, and any agents, trustees, officers, employees and anyone  
17 acting on their behalf, and their heirs and assignees, be perpetually enjoined from transferring,  
18 conveying, or encumbering any portion of the Property, for consideration or otherwise, without  
19 first obtaining the Court's prior approval.

20       13.   That Defendants be ordered to immediately notify any transferees, purchasers,  
21 commercial lessees, or other successors in interest to the subject Property of the existence  
22 and application of any temporary restraining order, preliminary injunction, or permanent  
23 injunction to all prospective transferees, purchasers, commercial lessees, or other successors  
24 in interest, *before* entering into any agreement to sell, lease or transfer the Property, for  
25 consideration or otherwise, all or any portion of the Property that is the subject of this action.

26       14.   That Defendants be ordered to immediately give a complete, legible copy of any  
27 temporary restraining order and preliminary and permanent injunctions to all prospective  
28 transferees, purchasers, lessees, or other successors in interest to the Property.

1       15. That Defendants be ordered to immediately request and procure signatures from  
2 all prospective transferees, purchasers, lessees, or other successors in interest to the subject  
3 Property, which acknowledges his/her respective receipt of a complete, legible copy of any  
4 temporary restraining order, preliminary and permanent injunction, and deliver a copy of such  
5 acknowledgment to the Los Angeles City Attorney's Office, c/o Deputy City Attorney Steven  
6 Gold or his designee.

7       16. That Plaintiff recover the costs of this action, including law enforcement  
8 investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed  
9 \$1,000,000.00, from Defendant.

10       AS TO THE SECOND CAUSE OF ACTION

11       1. That the Property, together with the fixtures and moveable property therein and  
12 thereon, be declared a public nuisance and be permanently abated as such in accordance with  
13 Civil Code section 3491.

14       2. That Defendants, and their agents, officers, employees, and anyone acting on  
15 their behalf, and their heirs and assignees, be preliminarily and perpetually enjoined from  
16 operating, conducting, using, occupying, or in any way permitting the use of the Property as a  
17 public nuisance. Such orders should include, but not be limited to physical and managerial  
18 improvements to the Property, a requirement that Defendant Rohit and executive  
19 representatives of Defendants RVLP and ICB reside at the Property until the nuisance is  
20 abated, the appointment of a receiver to carry out the Court's orders, and such other orders as  
21 are appropriate to remedy the nuisance on the Property and enhance the abatement process.

22       3. Such costs as may occur in abating said nuisance at the Property and such other  
23 costs as the Court shall deem just and proper.

24       4. That Plaintiff be granted such other and further relief as the Court deems just and  
25 proper, including closure and/or demolition of the Property.

26       AS TO THE THIRD CAUSE OF ACTION

27       1. That Defendants be declared in violation of Business and Professions Code  
28 section 17200.

1       2. That Defendants, as well as their agents, heirs, successors, and anyone acting  
2 on their behalf, be permanently enjoined from maintaining, operating, or permitting any  
3 unlawful or unfair business acts or practices in violation of Business and Professions Code  
4 section 17200.

5       3. That the Court grant a preliminary and/or permanent injunction prohibiting  
6 Defendants, as well as their agents, heirs, successors, and anyone acting on their behalf, from  
7 engaging in the unlawful or unfair acts and/or practices described herein at the Property and in  
8 the City of Los Angeles. Such orders should include physical and managerial improvements to  
9 the Property.

10      4. That, pursuant to Business and Professions Code section 17206, Defendants  
11 each be assessed a civil penalty of Two Thousand Five Hundred Dollars (\$2,500) for each and  
12 every act of unfair competition.

13      5. That, pursuant to the Court's equitable power and Business and Professions  
14 Code section 17203, the Court make such orders or judgments, including appointment of a  
15 receiver, to eliminate the unfair competition alleged herein.

16      AS TO ALL CAUSES OF ACTION

17      1. That Plaintiff recover the amount of the filing fees and the amount of the fee for  
18 the service of process or notices which would have been paid but for Government Code  
19 section 6103.5, designating it as such. The fees may, at the Court's discretion, include the  
20 amount of the fees for certifying and preparing transcripts.

21      2. That Plaintiff be granted such other and further relief as the Court deems just and  
22 proper.

23      DATED: June 27, 2017

Respectfully submitted,

24      MICHAEL N. FEUER, City Attorney  
25      JONATHAN CRISTALL, Assistant City Attorney

26      By:

27      STEVEN GOLD

28      Deputy City Attorney

Atorneys for Plaintiff, THE PEOPLE OF THE STATE  
OF CALIFORNIA